

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER <b>22337-US</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>Unassigned 10/575704</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/012469</b>	INTERNATIONAL FILING DATE <b>4 November 2004 (04.11.2004)</b>	PRIORITY DATE CLAIMED <b>4 November 2003 (04.11.2003)</b>
TITLE OF INVENTION <b>METHOD FOR DISTINGUISHING AML SUBTYPES WITH DIFFERENT GENE DOSAGES</b>		
APPLICANT(S) FOR DO/EO/US <b>Torsten Haferlach, Martin Dugas, Wolfgang Kern, Alexander Kohlmann, Susanne Schnittger and Claudia Schoch</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input checked="" type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV338301799 US</b></li> </ol>		

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U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/17/04</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/012469</b>	ATTORNEY'S DOCKET NUMBER <b>22337-US</b>																																																																																																								
<p>23. Other items or information:</p> <p><b>Specification showing Amendments (Exhibit A)</b>  <b>Clean Copy of Specification (Exhibit B)</b>  <b>Publication No. WO 2005/043168 A3/A2</b>  <b>Copy of Written Opinion (no response was filed)</b></p>																																																																																																										
<table border="1"> <thead> <tr> <th colspan="2">The following fees have been submitted:</th> <th>CALCULATIONS</th> <th>PTO USE</th> </tr> </thead> <tbody> <tr> <td colspan="2">24. <input checked="" type="checkbox"/> Basic national fee .....</td> <td>\$300</td> <td>\$300.00</td> </tr> <tr> <td colspan="2">25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</td> <td>\$0</td> <td>\$200.00</td> </tr> <tr> <td colspan="2">All other situations .....</td> <td>\$200</td> <td></td> </tr> <tr> <td colspan="2">26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</td> <td>\$0</td> <td></td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority .....</td> <td>\$100</td> <td>\$500.00</td> </tr> <tr> <td colspan="2">International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB .....</td> <td>\$400</td> <td></td> </tr> <tr> <td colspan="2">All other situations .....</td> <td>\$500</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 24, 25 and 26 =</b></td> <td></td> <td>\$1,000.00</td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>77 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>27 - 20 =</td> <td>7</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> </tr> <tr> <td colspan="2"></td> <td><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$1,350.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td></td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td><b>SUBTOTAL =</b></td> <td>\$1,350.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td></td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td><b>TOTAL NATIONAL FEE =</b></td> <td>\$1,350.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). 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PTO-1390 (Rev. 07-2005)

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**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer No. 22829  
Roche Molecular Systems, Inc.  
Patent Department  
1145 Atlantic Avenue  
Alameda, CA 94501

Robert W. Mann  
SIGNATURE

**Robert W. Mann**

NAME

**48,555**

REGISTRATION NUMBER

4/17/06  
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Torsten Haferlach, et al.,

SERIAL NO.: PCT/EP2004/012469

PCT FILING DATE: NOVEMBER 4, 2004

FOR: METHOD FOR DISTINGUISHING  
AML SUBTYPES WITH DIFFERENT  
GENE DOSAGES

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) EXAMINER: N/A

) ART UNIT: N/A

) Confirmation No. N/A

) DOCKET NO. 22337-US

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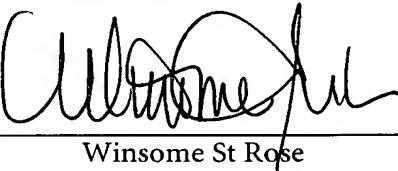
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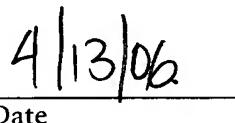
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I hereby certify that the following correspondences:

- Transmittal Letter to the United States DO/EO/US
- Preliminary Amendment (13 pages)
- Copy of WO 2005/043167 A2, A3
- Copy of Substituted application showing amendments (Exhibit A)
- Clean copy of Substituted application (Exhibit B)
- Declaration& POA (unsigned)
- Authorization to charge account for \$1350.00
- Return receipt postcard

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\_\_\_\_\_  
Winsome St Rose

  
\_\_\_\_\_  
Date

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